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OFFICE OF PETITIONS

In re Application of :
Eugene P. Matter et al. : **ON PETITION**
Application No. 10/003,170 :
Filed: November 14, 2001 :
Attorney Docket No. 42390P12396 :

This is a decision on the petition filed February 15, 2006, to revive the above-identified application under 37 CFR 1.137(b).

The petition is **GRANTED**.

The above-referenced application was held abandoned on October 23, 2005 for failure to file a proper reply to a Final Office Action mailed July 22, 2005 in compliance with 37 CFR 1.113. A response was filed October 24, 2005, but by advisory action mailed November 8, 2005, petitioner was advised that the response did not place the application in condition for allowance. Accordingly, a Notice of Abandonment was mailed March 20, 2006.

Comes now petitioners with the instant petition to revive and Notice of Appeal. Additionally, a review of the file reveals that an Appeal Brief was filed April 14, 2006.

The Notice of Appeal filed February 15, 2006, has been entered and made of record. Although petitioners have submitted the Appeal Brief, the agency is obligated to inform petitioners that they have a two (2)-month period for filing the Appeal Brief, accompanied by the fee required by law, and that the two (2)-month period runs from the date of this decision.

The matter is being referred to Technology Center 2187 for a review of the Notice of Appeal and the Appeal Brief.

Telephone inquiries concerning this matter may be directed to the undersigned Petitions Attorney at (571) 272-3212.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions